

Diamondback Regeneration Harvest
EA# OR-104-98-21
Decision Document

An Interdisciplinary (ID) Team of the Swiftwater Resource Area, Roseburg District, Bureau of Land Management has analyzed the proposed Diamondback Regeneration Harvest project. This analysis and the "Finding of No Significant Impact" (FONSI) was documented in Environmental Assessment (EA) No. OR-104-98-21. The thirty day public review and comment period was completed on September 17th, 1998.

The Swiftwater Resource Area Manager has decided to implement the Proposed Action Alternative. The proposed action involves the regeneration harvest of mature and old-growth timber in the Elk Creek and Upper Umpqua Watersheds located in Sections 9 and 17; T24S R6W; W.M. Harvest activities will occur on 97 acres of regeneration harvest and harvest approximately 4.2 MMBF of timber. This project will take place in the Matrix Land Use Allocation and will not occur in Riparian Reserves or a Key Watershed.

The following objectives will be met by this proposal:

1. Practice ecosystem management as outlined in the ROD and RMP (EA, pg. 2).
2. "Produce a sustainable supply of timber and other forest commodities " (RMP pg. 33) and meet District PSQ goals.

Decision

It is my decision to authorize the implementation of the Proposed Action Alternative. Section II of the EA describes the proposed action and no action alternatives. The No Action Alternative (alternative #1) was not selected because the EA did not identify any impacts that could not be mitigated through project design features.

A paragraph was inadvertently left out of the EA on page 8. This paragraph specifies the project design features for protection of the Blue-gray Tail-dropper slug, Prophysaon coeruleum and is included in this decision.

9. To protect Special Status and SEIS Special Attention Animals :

- a. Five found sites of the Blue-gray Tail-dropper slug, *Prophysaon coeruleum*, would be protected with a 180 ft. radius buffer to maintain the site.

The sale date is planned for October 27, 1998 and the expected implementation of the project would begin in the summer of 1999. The contract duration will be 36 months. The project design features for this alternative are listed on pages 5-8 of the EA. These features have been developed into contract stipulations and will be implemented as part of the timber sale contract.

The following specifics are noted as the result of sale layout:

- 1). A total of 575 ' (0.11 mi.) of temporary road will be constructed. A total of 1585' of existing road will

be improved and 7.72 mi. of existing road will be renovated. 260' (0.05 mi.) of existing road will be decommissioned. Approximately 1300' of existing skid trails will be subsoiled.

2). In the harvest areas, approximately 867 retention (green) trees greater than 20" DBH will be maintained, pre-harvest. This equates to 8.9 green trees per acre. The RMP (pg. 34) requires a retention of 6 to 8 green trees/acre. Retention trees are reserved in a scattered arrangement of individual trees as well as occasional clumps of two or more trees. The average retention tree diameter is 37" DBH with 68% being Douglas firs. A total of 249 conifers less than 20" DBH were also reserved although not required by the RMP. Additionally, 145 hardwoods (28 being 20" DBH and larger) were reserved equating to 2.7 trees per acre.

3). In the harvest areas, approximately 189 snags greater than 20" in diameter breast height (DBH) and 20' in height will be retained, pre-harvest. This equates to 1.9 snags/acre. The RMP (pg. 64) requires that sufficient snags be retained to meet 40% of the potential population level for cavity nesting birds. Wildlife biologists have determined this to be 1.2 snags per acre on a 40 acre basis. The snag retention levels would therefore meet the population needs of cavity nesters at a level of at least 63% within the units, pre-harvest.

4). Approximately 538 linear feet of existing class 1 and 2 down logs (coarse woody debris) were found in the units and will be maintained pre-harvest. This equates to six linear feet/acre. The RMP guideline is for 120 linear feet/acre. As specified in the RMP, extra green trees were left to meet this deficit. In this case an additional 0.9 green trees/acre were left. Additionally, 89 green trees and snags greater than 16" but less than 20" DBH were left that would also qualify for future recruitment of down logs in the size specified in the RMP. This equates to 0.9 trees per acre.

Decision Rationale

The Proposed Action Alternative meets the objectives for lands in the Adaptive Management Area and follows the principles set forth in the ROD, dated April 13, 1994 and the RMP, dated June 1995.

Cultural clearance with the State Historical Preservation Office was completed and resulted in a "No Effect" determination.

Consultation with U.S. Fish and Wildlife Service for this project has been completed. The Biological Opinion concluded that the proposed action is " . . . not likely to jeopardize the continued existence of the bald eagle, peregrine falcon, spotted owl or murrelet or adversely modify designated critical habitat for spotted owl or murrelets".

Consultation under Section 7(a)(4) of the Endangered Species Act has not been completed with the National Marine Fisheries Service (NMFS) on the Umpqua River cutthroat trout, Oregon Coast steelhead trout and Oregon Coast coho salmon. The sale contract will not be awarded until a final biological opinion or letter of concurrence, which includes a non-jeopardy determination, has been received. The sale was designed to follow the guidance of the RMP and the NFP, and to incorporate mitigations identified in the consultations on previously listed salmonids, as appropriate. Therefore, it is our expectation that the Biological Opinion will not

make a jeopardy determination nor prescribe any reasonable and prudent measures or terms and conditions that are not already part of the sale design and mitigation. Because the United States retains the right to reject any and all bids for any reason, the mere offering of the sale does not make any irreversible or irretrievable commitment of resources which have the effect of foreclosing the formulation or implementation of any reasonable and prudent alternative measures. If additional reasonable and prudent alternative measures or terms and conditions are prescribed which would require alteration in the terms of the sale contract, the agency retains the discretion (prior to contract award) to adjust the sale design accordingly and readvertise the sale if necessary.

This project received extensive review for consistency with the Aquatic Conservation Strategy (ACS) objectives by the ID Team as well as the Level I Team during formal consultation with the National Marine Fisheries Service (NMFS). A finding of consistency was made in the FONSI subject to completion of consultation with NMFS.

This decision is based on the fact that the Proposed Action Alternative implements the Standards and Guidelines (S&Gs) as stated in the ROD and RMP. The project design features as stated in the EA would protect the Riparian Reserves, minimize soil compaction, limit erosion, protect slope stability, wildlife, air, water quality, and fish habitat, as well as protect other identified resource values. This decision recognizes that impacts will occur to the resources, however, the impacts to these resource values would not exceed those identified in the FSEIS. This decision provides timber commodities with impacts to the environment at a level within the bounds of the Final Supplemental Environmental Impact Statement (FSEIS).

Comments were solicited from affected tribal governments, adjacent landowners and certain State and local government agencies. No comments were received. During the thirty day public review period, comments were received from Umpqua Watersheds, Inc. (Francis Eatherington). None of the comments provided new information which should be considered in this decision. Most of the comments are the result of a difference of interpretation over the Northwest Forest Plan ROD, opposition to BLM policy or opposition to harvest on Federal lands.

Compliance and Monitoring

Monitoring will be conducted as per the guidance given in the ROD and the RMP.

Protest and Appeal Procedures

As outlined in Federal Regulations 43 CFR, 5003.3, "Protests of ... Advertised timber sales may be made within 15 days of the publication of a ... notice of sale in a newspaper of general circulation." Protests shall be filed with the authorized officer (John L. Hayes) and shall contain a written statement of reasons for protesting the decision. Protests received more than 15 days after the publication of ... the notice of sale are not timely filed and shall not be considered. Upon timely filing of a protest, the authorized officer shall reconsider the decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him/her. The authorized officer shall, at the conclusion of his/her review, serve his/her decision in writing to the protesting party. Upon denial of a protest ... the authorized officer may proceed with the implementation of the decision.

For further information, contact John L. Hayes, Area Manager, Swiftwater Resource Area, Roseburg District,

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John L. Hayes, Area Manager
Swiftwater Resource Area

Date
